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10 PETER DIXON

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 PETER DIXON individually,

14 Plaintiff,

15 vs.

16 CITY OF OAKLAND and the
17 OAKLAND POLICE DEPARTMENT,
18 public entities, SERGEANT BERNARD
19 ORTIZ, OFFICER STEVEN TORIBIO,
20 OFFICER PATRICK GERRANS,
21 OFFICER ROBERT GERRANS,
22 OFFICER R. GARCIA, PERSONAL
23 PROTECTIVE SERVICES, INC., a
24 California corporation, DEMONT
25 MARROW, STANLEY TEETS,
26 MEREDITH WILSON, RENE GARCIA,
27 LADALE SLOCUM and DOES 5
28 through 10, individually, jointly and
severally,

Defendants.

Case No. C12-5207 DMR

**STIPULATION AND (PROPOSED)
ORDER TO AMEND CASE
MANAGEMENT ORDER**

1 ALL PARTIES, THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, HEREBY
2 STIPULATE, AND REQUEST THIS COURT TO ORDER, THAT the case management order
3 be amended as follows:

4 This is a complex civil rights case with 10 individual Defendants and 6 remaining Doe
5 Defendants. The parties have exchanged initial disclosures, exchanged written discovery, and
6 have subpoenaed records. Plaintiff has taken eight depositions. Defendants have completed
7 Plaintiff's deposition. The depositions of the remaining Defendants must still be completed.
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9 Defendant Oakland Police Sergeant Bernard Ortiz continues to suffer from serious health
10 issues for which his healthcare providers have ordered him off work. Due to these serious health
11 issues he has been unable to participate in a deposition thus far. These health issues are ongoing,
12 and at this time Defendant Ortiz is uncertain as to when they will be resolved.

13 Trial in this case is currently set for July 7, 2014. The parties currently have a settlement
14 conference scheduled in this matter for February 13, 2013 with the Honorable Nathanael M.
15 Cousins. Expert reports are subsequently due February 25, 2014, rebuttal expert reports are due
16 on March 11, 2014 and expert discovery will close on March 25, 2014. Fact discovery is set to
17 close on February 25, 2014.
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19 In order to maximize the chances of settlement, to avoid incurring otherwise unnecessary
20 costs, and in light of Defendant Ortiz's continuing health condition, the parties stipulate to
21 continue the deadlines for completion of expert discovery and for a modest extension of the
22 deadline for completion of fact discovery. This is the second request for extension of such
23 deadlines. The parties do not anticipate that such an extension will affect the trial date of July 7,
24 2014.
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Therefore, the parties respectfully request that this Court continue the current deadlines in this matter as follows:

Deadline Description	Current Deadline/Date	Proposed Modified Deadline/Date
Completion of Fact Discovery	February 25, 2014	March 11, 2014
Disclosure of Expert Witnesses' Identities and Reports	February 25, 2014	April 8, 2014
Dispositive Motion Hearing Deadline	April 24, 2014	No change
Settlement Conference	February 13, 2014	No change
Disclosure of Rebuttal Expert Witnesses' Identity and Reports	March 11, 2014	April 22, 2014
Completion of Expert Discovery	March 25, 2014	June 2, 2014
Pretrial Conference	March 18, 2014	June 25, 2014 at 3:00 p.m. Any appropriate time per the Court's schedule
Trial	July 7, 2014	No change

SO STIPULATED:

DATED: January 21, 2014

HADDAD & SHERWIN

/s/ Michael J. Haddad*

MICHAEL J. HADDAD

Attorneys for Plaintiff PETER DIXON

DATED: January 21, 2014

OFFICE OF THE CITY ATTORNEY OF
OAKLAND

/s/ Arlene M. Rosen*

ARLENE M. ROSEN, Senior Deputy City Attorney
Attorneys for Defendants CITY OF OAKLAND,
BERNARD ORTIZ, STEVEN TORIBIO, PATRICK
GERRANS, ROBERT GERRANS and R. GARCIA

1 DATED: January 21, 2014

BREMER WHYTE BROWN & O'MEARA LLP

2 /s/ Lance Pedersen*

3 LANCE PEDERSEN

4 Attorneys for Defendants PERSONAL
5 PROTECTIVE SERVICES, INC., DEMONT
6 MARROW, STANLEY TEETS, LADALE
7 SLOCUM, MEREDITH WILSON and RENE
8 GARCIA

9 *Mr. Haddad, Ms. Rosen and Mr. Pedersen provided their consent that this document be
10 electronically filed.
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(PROPOSED) ORDER

Pursuant to stipulation of the parties and good cause appearing therefore, IT IS SO ORDERED.

Dated: January 27, 2014_____

